

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KEVIN S. EPPERSON,	§
	§
Defendant Below-	§ No. 550, 2005
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID. 9408009291
Plaintiff Below-	§
Appellee.	§

Submitted: December 22, 2005

Decided: February 1, 2006

Before **HOLLAND, BERGER, and JACOBS**, Justices.

ORDER

This first day of February 2006, after careful consideration of the appellant's opening brief and the State's motion to affirm, we find it manifest that the judgment on appeal should be affirmed for the reasons set forth in the Superior Court's decision dated November 1, 2005. The record reflects that the claims raised in Epperson's seventh postconviction motion are both time-barred and previously adjudicated. The Superior Court did not err in holding that Epperson had failed to overcome these procedural hurdles.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland

Justice